

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DANIEL F. QUICK,

Plaintiff,

v.

CORBIN PUHAN, *et al.*,

Defendants.

Case No. C24-629 RSL

ORDER

Plaintiff has filed an application to proceed *in forma pauperis* (“IFP”) in the above-entitled action. (Dkt. # 1.) In the IFP application, Plaintiff states that he received \$36,000 in pensions, annuities, or life insurance payments in the past twelve months, that he has no cash on hand, and that his monthly expenses are \$3,000 for rent, food, car, and other payments. (*Id.*) However, Plaintiff did not complete the IFP application’s attestation declaring that he is the plaintiff in this case, that he believes he is entitled to relief, and that he is unable to pay the costs of the proceeding or give security therefor. (*Id.* at 1.) Plaintiff also did not fill out sections regarding how much money he has in checking and savings accounts. (*Id.* at 2.)

The district court may permit indigent litigants to proceed IFP upon completion of a proper affidavit of indigence. *See* 28 U.S.C. § 1915(a). “To qualify for *in forma pauperis* status,

1 a civil litigant must demonstrate both that the litigant is unable to pay court fees and that the
2 claims he or she seeks to pursue are not frivolous.” *Ogunsalu v. Nair*, 117 F. App’x 522, 523
3 (9th Cir. 2004), *cert. denied*, 544 U.S. 1051 (2005). To meet the first prong of this test, a litigant
4 must show that he or she “cannot because of his [or her] poverty pay or give security for the
5 costs and still be able to provide him[or her]self and dependents with the necessities of life.”
6 *Adkins v. E.I. DuPont de Nemours & Co.*, 335 U.S. 331, 339 (1948) (internal alterations
7 omitted).

8 Plaintiff did not complete the attestation of the IFP application declaring that he is unable
9 to pay the costs of proceedings, or state how much money he has in checking and savings. Under
10 these circumstances, Plaintiff should not be authorized to proceed IFP unless he corrects these
11 deficiencies.

12 Accordingly, Plaintiff is ORDERED to show cause by **May 24, 2024**, why the Court
13 should not recommend his IFP application be denied. The Clerk is directed to send copies of this
14 Order to Plaintiff and to the Honorable Robert S. Lasnik.

15 Dated this 9th day of May, 2024.

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17 MICHELLE L. PETERSON
18 United States Magistrate Judge
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